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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**  
**CENTRAL DIVISION**

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**MARK-RICHARD; PATRICK,**

**Petitioner,**

**vs.**

**UNITED STATES OF AMERICA,**

**Respondent.**

**MEMORANDUM DECISION  
AND ORDER**

**Case No. 2:07CV668 DAK**


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This matter is before the court on Mark-Richard; Patrick's ("Petitioner") Motion for Writ of Habeas Corpus, which the court construes as a motion pursuant to 28 U.S.C. § 2241 because Petitioner seeks credit toward his sentence for time spend on pre-trial supervised release.

"Requests for sentence credit, or for recalculation of time yet to serve . . . must be presented to the Attorney General (or [his] delegate, the Bureau of Prisons), and adverse decisions may be reviewed by an action under 28 U.S.C. § 2241 . . . ." *United States v. Storm*, 281 Fed. Appx. 830, 832, 2008 WL 2405740, 1 (10<sup>th</sup> Cir. 2008)(quoting *Romandine v. United States*, 206 F.3d 731, 736 (7th Cir.2000)). A petitioner brought under 28 U.S.C. § 2241 "must be filed in the district where the prisoner is confined." *Bradshaw v. Story*, 86 F.3d 164, 166 (10<sup>th</sup> Cir. 1996). Thus, this court has no jurisdiction to rule on the merits of this Petition, and it is DISMISSED without prejudice.

DATED this 14<sup>th</sup> day of October, 2008.

BY THE COURT:



DALE A. KIMBALL

United States District Judge